E and P. Lt (1948) Department.

MS SERIES.

G.O. No 712

Dated 8.9.1948

[Despatch Abstract.]

PUBLIC HEALTH - Occupational Healths - Zoning and location of industry - Shore Committees' recommendations - Papers recorded.

EDUCATION & PUBLIC HEALTH DEPARTMENT
(SPECIAL)

OCCUPATIONAL HEALTH INCLUDING INDUSTRIAL HEALTH.

Zoning and location of industry.

On the subject of occupational health the Health Survey and Development Committee have made the following recommendations:-

(i) Town and Rural Planning Acts should be passed by Provincial Legislatures setting up in each province a separate Ministry of Housing and Twon and Rural Planning, with wide powers to deal with the housing of the industrial population and with the zoning and location of industry.

(ii) Before the establishment of any new industry or factory is agreed to by the Provincial Government the Minister should satisfy himself that in the lay-out, adequate provision is made for the housing of workers, for the transport to and from the factory and for adequate environmental amenities.

(iii) In accordance with the recommendation of the Royal Commission on Labour Provincial Governments should take steps to prevent industries being established in places where there will not be sufficient room for adequate housing or other necessities such as water supply, electric power etc.

(iv) Where possible, having regard to the relevant economic factors new industries should be dispersed in rural areas so that the local inhabitants may, derive the fullest benefit from industries being brought within their immediate circle. The health problem of workers in such industries would be greatly simplified if industrial establishments could be located in rural surroundings.

These recommendations are noted on in the succeeding paragraphs.

2. Recommendation (i)

Secretary's comment on this recommendation is as follows:

"We have a Town Planning Act. Please see paragraph 5(b) of Public Health Sub-Committee's Proceedings dated 14.12.44 for making it more comprehensive and effective, and paragraph 5 (c) (ii)."

The question is whether the Government's powers under the existing Madras Town Planning Act, 1920 are wide enough to tackle effectively the problem of housing the industrial population - and zoning of areas for industrial purposes.

Under the Madras Town Planning Act, 1920, and the rules framed thereunder, the responsibility for the preparation of town planning schemes is with the local authorit Please see sections 9 to 14 of the Act. A town planning scheme may provide for all the matters referred to in section r of the Act; and it may be observed that, among these matters are those relating to construction of houses and

/True Copy/

reservation of lands for factories. In the preparation of these schemes, the advice of the Town Planning Department is freely sought at every stage. Under section 14(3) of the Act the Government may sanction a scheme, refuse to sanction it or return it to the municipal council for reconsideration. It is seen that municipal councils can frame and execute schemes of housing for any section of the community within the frame work of town-plannings schemes prepared and sanctioned under the Town planning Act. The provisions of this Act in this regard are only general and municipal councils have not so far, for lack of funds and such other reasons, framed housing schemes.

Fixation of industrial areas in municipalities can be made wither under town-planning schems sanctioned under Town Planning Act or in pursuance of the powers vested in municipal councils under section 193 (1) (c) of the Madras District Municipal Act, 1920. These are only permissive provisions, and the fixation of industries areas is not statutorily mandatory. The Director of Town Planning approves the proposals when he receives them from the local authorities. Reference is also invited to sections 89-92 of the Madras Public Health Act, 1939, relating to the notificat of residential areas by urban local authorities - Section 92 of this Act lays down that on the issue of notification fixing residential areas by a local authority, the ~~confixing resident~~ construction or establishment of any new factory, workshop etc. in those areas shall be absolutely prohibited. Even here the initiative has to be taken by the local authority and though the Director of Town Planning and Director of Public Health have statutory powers of approval in respect of these proposals, it may be seen that the emphasis here is on residential areas.

It cannot therefore be stated that the powers of Government under the Acts referred to are adequate or self-contained for the purposes mentioned by the committee. The Public Health sub-committee of the post war reconstruction general committee has recommended legislation to make the Town Planning Act more comprehensive and more effective so as to provide for the preparation and execution of slum clearance etc. schemes, and zoning of areas. The question whether the powers in regard to these matters should be exercised by the Government themselves or by the Director of Town-Planning seems to be one of detail which can be decided later.. It is for consideration whether the Director of Town Planning may be asked to keep this recommendation in view, when framing his proposals for the amendment of the Town Planning Act.

The question of a separate Ministry of Housing and Town and Rural Planning will be dealt with separately.

3. Recommendations (2) and (3)

Secretary's comments are:

No. 209 "Please see paragraph 4 (b) of Public Health Sub-committees' proceedings dated 14.12.44. That is not so categorical as the proposal here. I think the proposal here should be adopted. May be examined in consultation with Development and Labour Departments."

No.210, May be examined whether our existing provisions are sufficient. If not, I think provision should be made for this; may be examined accordingly in consultation with departments concerned."

/True Copy/

SP/26.6.6

If these recommendations are to be given effect to, provision will be necessary in the Town Planning Act for scrutiny by the Director of Town Planning and sanction by the Government of all layouts in respect of factories (including those which come within the purview of the Factories Act); and it will also be necessary to lay down specifically that the lay-out should be accompanied by details of the provision made therein for housing, water supply and such other amenities for the workers employed. Adequate prevision for these amenities for the employees should be made the condition precedent to the Governments sanction for the lay-out. The lay-out itself should be prepared after consultation with the Commissioner of Labour - (as regards housing) the Sanitary Engineer (as regards water supply) and the Chief Engineer for Electricity Department (as regards electric power) and also the District Magistrate concerned as regards the transport facilities. The provisions of the Factories Act do not seem to cover these matters. The Director of Town Planning may be asked to note these recommendations as well, and to make suitable provision for all these matters in his proposals for comprehensive amendments to the Town Planning Act.

Home, Public Works Department and Development may see these recommendations for remards if any on them.

4. Recommendation (iv)

The suggestion that new industries should be dispersed in villages seems to be unexpcptionable, and the committee gives good reasons for the suggestion. The Development Director of Industries and Commerce and Commissioner of Labour seem to be more concerned with this recommendation. In accordance with the Secretary's comment on this recommendation, the remards of Development may be invited U.O. on it.

5. This understood that the Director of Town Planning has separately submitted revised proposals for implementing Public We Post War Reconstruction Scheme 105 regarding Town-Planning, Housing and elimination of slums, and that the connected file has been circulated to Hon'ble Minister Public Health and Medical. Those proposals have not yet been examined and when the file return from Hon'ble Minister, it will be seem whether the Director of Town Planning in submitting the proposals has 'taken into consideration the recommendation mentioned on page 1 ante.

In the meantime Home, Public Works Department and Development may see the recommendations.

(Sd) . . . . .
11.11.46.

HOME (DEPARTMENT)

Please see pages 1-5 above. This department is concerned with recommendations numbers (ii) and (iii on page 1 ante so far as they relate to the provision of transport facilities,. Attention is also invited to M on page 4 ante. This Department may agree to the M being consulted as regards transport facilities before lay-outs of factories are prepared.

This may be passed on to the Public Works Department.

(Sd) . . . . .
17.11.46.

/True Copy/

SP/26.6.

file if the proposals for the amendments to the Town Planning Act dealt with in the top file materialize - The points made in this file may be considered in connection with those amendments.

(Sd) . . . . .
17.5.47.

The Committee constituted in G.O.No. 3578, Public Health dated 29-10-1947 will consider, among th other matters, what provision should be made for the zoning of industi and whether the Town Planning Act should contain provision on the subject - No further action seems necessary in the matter in this file, as already stated above.

The papers may now be Recorded.

G.O.No. 712, Public Health d/8.3.48.

O R D E R:

R E C O R D E D.

Abstract:

Public Health - Occupational Health - Zoning and Location of Industry - Bhore Committees' recommend-ations - Papers Recorded.

(Sd) . . . . .
6-3-1948.

/True Copy/

for SUPERINTENDENT

SP/26.6. Madras Record Office.

24/7

The appropriate authority to consult as regard transport (at any motor transport) is the Regional Transport Board, not the D.M. The D.M. is however a member.

(Sd) .....
10.11.46.

PUBLIC WORKS DEPARTMENT.

The file may be perused.

I support according to the importance of the scheme.
(Sd) ...
26.11.46.

2. With reference T' N' on page 4 ante, it may pointed out that the Chief Engineer (Electricity) or the C.E. I.G. as the case may be, has to be consulted as regards the electric power.

3. The file may be passed on to Development.

(Sd) .....
26.11.46.

DEVELOPMENT DEPARTMENT (D II).

To U.S.

With reference to 'P' &'Q' on page 4 above, this Department may suggest that the commissioner of Labour and the Director of Industries and Commerce may be consulted before further proceeding with the proposals. Education and Public Health may be requested to send to the file to Public (Planning & Development) for remarks before consulting the Commissioner of Labour and Director of Industries and Commerce with these remarks, the case may be returned to Education & Public Health.

(Sd) .....
30.11.46.

EDUCATION & PUBLIC HEALTH DEPARTMENT.

The notes of Home, Public Works and Development Departments may be perused. With reference to the suggestion of Development Department at 'A' above Public (Planning and Development) may see the case as. for remarks if any before the Regional Transport Board, Chief Engineer (Electricity), the Commissioner of Labour and the Director of Town Industries and Commerce consulted.

(Sd) .....
7,11.46.

Public

No special remarks seem called for in this Department.

(Sd) .....
14.12.46.

Education & Public Health (Special) Department.

No separate action will be necessary on this

(Contd)